

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DION NEWTON,

Petitioner,

CIVIL ACTION

v.

KEVIN KAUFFMAN,
THE DISTRICT ATTORNEY OF THE
COUNTY OF PHILADELPHIA, and
THE ATTORNEY GENERAL OF THE
STATE OF PENNSYLVANIA,

Respondents.

NO. 15-1103

FILED

JAN 25 2019

CLERK
CLERK

ORDER

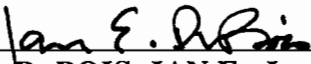
AND NOW, this 23rd day of January, 2019, upon consideration of Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by *pro se* petitioner, Dion Newton, and the related submissions of the parties, the record in this case, and the Report and Recommendation of United States Magistrate Judge Henry S. Perkin dated November 21, 2018, no objections having been filed notwithstanding the passage of time for filing objections, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Henry S. Perkin dated November 21, 2018, is **APPROVED** and **ADOPTED**;
2. Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by *pro se* petitioner, Dion Newton, is **DENIED WITH PREJUDICE** and **DISMISSED** without an evidentiary hearing; and,
3. The Clerk of Court shall **MARK** this case **CLOSED**.

IT IS FURTHER ORDERED that a certificate of appealability will not issue because reasonable jurists would not debate (a) this Court's decision that the petition does not state a valid claim of the denial of a constitutional right, or (b) the propriety of this Court's procedural

ruling(s) with respect to petitioner's claim(s). *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

BY THE COURT:


DuBOIS, JAN E., J.